

1 Dale K. Galipo, Esq. (SBN 144074)
dalekgalipo@yahoo.com
2 Renee V. Masongsong, Esq. (SBN 281819)
rvalentine@galipolaw.com
3 **LAW OFFICES OF DALE K. GALIPO**
21800 Burbank Blvd., Suite 310
4 Woodland Hills, CA 91367
Tel: (818) 347-3333
5 Fax: (818) 347-4118

6 James S. Terrell, Esq. (SBN 170409)
jim@talktoterrell.com
7 **LAW OFFICE OF JAMES S. TERRELL**
15411 Anacapa Road
8 Victorville, CA 92392
Tel: (760) 951-5850
9 Fax: (760) 952-1085

10 Sharon J. Brunner, Esq. (SBN 229931)
sharonjbrunner@yahoo.com
11 **LAW OFFICE OF SHARON J. BRUNNER**
14393 Park Avenue, Suite 100
12 Victorville, CA 92392
Tel: (760) 243-9997
13 Fax: (760) 843-8155

14 *Attorneys for Plaintiffs*

15
16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 JOSE ALVARADO, JIMENA
ALVARADO, ERIKA ALVARADO,
19 and MARCUS ALVARADO, in each
case individually and as successor in
20 interest to Delfino Avila, deceased,

21 Plaintiffs,

22 vs.

23 CITY OF SAN BERNARDINO, ZACK
EWING; CARLA GUTIERREZ,

24 Defendants.
25

Case No. 5:24-cv-00088-JGB-SHK

Assigned to:

Hon Jesus G. Bernal

Hon. Mag. Judge Shashi H. Kewalramani

**JOINT STIPULATION AND MOTION
TO REOPEN THE CASE PENDING
SETTLEMENT CONSUMMATION**

26 **TO THIS HONORABLE COURT:**

27 Plaintiffs, Jose Alvarado, Jimena Alvarado, Erika Alvarado, and Marcus
28

1 Alvarado, and Defendants City of San Bernardino, Zack Ewing, and Carla Gutierrez,
2 by and through their respective attorneys of record, hereby submit the following
3 stipulation and motion to briefly reopen the case to consummate the settlement.

- 4 1. The parties participated in a mediation on February 24, 2025, with mediator
5 Richard Copeland. Subsequently, the Parties accepted a mediator's proposal
6 on or around February 28, 2025, and were able to reach a conditional
7 settlement of the entire action.
- 8 2. The proposed settlement has now been approved by the relevant City of San
9 Bernardino boards.
- 10 3. The Parties have only recently signed the long form settlement agreement,
11 and the settlement funds have not yet been distributed.
- 12 4. Therefore, the Parties request that this Court briefly reopen the case to
13 allow the settlement funds to be transmitted to Plaintiffs and their counsel.
- 14 5. Within ten days of Plaintiffs and their counsel receiving the settlement
15 funds, the Parties shall file a joint stipulation to dismiss the case.
- 16 6. The Parties agree to file a status report within the next thirty (30) days.

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18
19 DATED: June 3, 2025

LAW OFFICES OF DALE K. GALIPO

20 By: s/ Renee V. Masongsong

21 Dale K. Galipo
22 Renee V. Masongsong
23 Attorneys for Plaintiffs

24 DATED: June 3, 2025

CARPENTER, ROTHANS & DUMONT LLP

25 By: /s/ Scott J. Carpenter

26 STEVEN J. ROTHANS
27 SCOTT J. CARPENTER
28 Attorneys for Defendants